



12-15-05
THE UNITED STATES PATENT AND TRADEMARK OFFICE

B
PATENT
JFW

Art Unit 2877

Examiner L. G. Lauchman

In re application of

James L. Overbeck et al.

Serial No. 09/733,162

Filed December 8, 2000

Allowed September 15, 2005

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OPTICAL MEASUREMENT DEVICE AND
RELATED PROCESS

Group 2800

Confirmation No. 2367

Mail Stop: Issue Fee

Commissioner for Patents

P.O. Box: 1450

Alexandria, VA 22313-1450

Attention: Official Draftsperson

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Date of Deposit December 14, 2005

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COPY OF THE NOTICE OF ALLOWABILITY
16 SHEETS OF FORMAL DRAWINGS**

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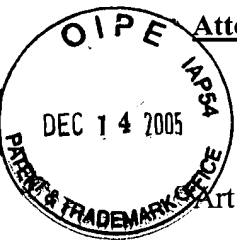
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NOTE: The label number need not be placed in each page. It should, however, be placed on the first page of each separate document, such as, a new application, amendment, assignment, and transmittal letter for a fee, along with the certificate of mailing by "Express Mail." Although the label number may be on checks, such a practice is not required. In order not to deface formal drawings it is suggested that the label number be placed on the back of each formal drawing or the drawings be accompanied by a set of informal drawings on which the label number is placed.



Attorney's Docket No. 050850

PATENT

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TRANSMITTAL OF FORMAL DRAWINGS

In response to the NOTICE OF ALLOWABILITY mailed on September 15, 2005
(date)

attached please find:

(a) the formal drawing(s) for this application.

Number of Sheets 16

☒ Each sheet of drawing indicates the identifying indicia suggested in § 1.84(c) on the front side of the drawing.

(b) a copy of the NOTICE OF ALLOWABILITY.

SIGNATURE OF ATTORNEY

Michael D. Lazzara

(type or print name of person certifying)

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Notice of Allowability

Application No.

09/733,162

Examiner

L. G. Lauchman

Applicant(s)

OVERBECK ET AL.

Art Unit

2877

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/22/2003 and Interview on 9/08/2005.
2. ☒ The allowed claim(s) is/are 66,69-76,80-84,86,87,133 and 134.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 909.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 909.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____